

TEXARKANA POLICE DEPARTMENT

GENERAL ORDERS MANUAL

SUBJECT	Public Information and Media Relations		
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I. Scope and Purpose

- A. The Texarkana Police Department recognizes that law enforcement agencies must establish and maintain the support of the community in which they serve in order to operate efficiently. By providing the community with accurate information concerning Departmental administration and operations, the Texarkana Police Department can achieve a better relationship with the public consisting of mutual trust, cooperation and respect. The Texarkana Police Department has established guidelines that govern the manner in which the Agency releases information to the public and the news media.

II. Policy

- A. A major function of the Department is the gathering and use of information. A portion of this information is intended to facilitate the criminal prosecution of suspects, while other information is utilized to generate reports of police activity, identify the needs for patrol assignments and requests for manpower. The release and classification of information is governed by local, state and federal law. Because of these laws, some of the information collected by the Department is not eligible for release to the public.
- B. It shall be the policy of the Texarkana Police Department to develop, institute and manage a set of guidelines that govern the release of newsworthy events occurring within the jurisdiction of the Agency as well as those events that involve the Department while ensuring these releases are factual and provided in a timely manner. It shall remain the Department's goal in this endeavor to make the public aware of any information that serves to better inform the public of criminal or inter-departmental activity. All members of the Department shall recognize and adhere to the following guidelines contained within this policy.

III. Definitions

A. Criminal Investigative Information

1. Information relating to an identifiable person or group of persons compiled by a criminal justice agency in the course of conducting a criminal investigation of a specific act or omission, including but not limited to the following:
 - a. Information derived from laboratory tests;
 - b. Reports of investigators or informants; or

Page 1 of 9	Number: 1102.15	Effective Date: February 01, 2011
Subject: Public Information and Media Relations		Revision Date: July 12, 2017

- c. Any type of surveillance.
- 2. Such information is considered “active” as long as it is related to an ongoing investigation, which is continuing with a reasonable, good faith anticipation of securing an arrest or prosecution in the foreseeable future.

B. Criminal Intelligence Information

- 1. Information concerning an identifiable person or group of persons collected by a criminal justice agency in an effort to anticipate, prevent or monitor possible criminal activity. Such information is considered “active” as long as it relates to intelligence gathering conducted with a reasonable, good faith belief that it will lead to detection of ongoing or reasonably anticipated criminal activities.

IV. Procedures

A. Reports to the Public Information Officer

- 1. In an effort to assist the Services Division with coordinating news release information to the media, the patrol shift supervisor shall forward an information e-mail to the PIO and the appropriate Division Commander(s) whenever officers of this Agency become involved in the investigation of the following incidents:
 - a. Homicides;
 - b. Bank robberies;
 - c. Fatality traffic crashes;
 - d. Major disasters or catastrophes;
 - e. Biological or incidents of HAZMAT;
 - f. Officers who are injured in the line of duty; and
 - g. Any other incident that attracts media attention.
- 2. To prevent the duplication of effort—or to avoid conflicting information—Division Commanders or shift supervisors shall ensure that information concerning newsworthy events which has been released to the media during the absence of the PIO is reported to the PIO as soon as possible.
- 3. Media releases that contain information surrounding organizational changes, information that pertains to Department policy—or the official interpretation of Agency policy—or investigations of an internal nature shall only be made by the Chief of Police or his designee.
- 4. The Chief of Police, Division Commander or member of the Command Staff may authorize the release of any information he/she deems appropriate.

B. Cooperation with the News Media

- 1. The following guidelines set forth rules, procedures and limitations regarding the release of information to the news media. Beyond the specific constraints and limitations that follow, members of the Agency are encouraged to be open, courteous and cooperative with members of the various news media outlets.

Page 2 of 9	Number: 1102.15	Effective Date: February 01, 2011
Subject: Public Information and Media Relations		Revision Date: July 12, 2017

- C. The Department’s Public Information Officer (PIO) will act as the single authoritative source of media contact for the Agency. The following guidelines further define the role of the PIO:
1. During normal business hours, the PIO will attempt to comply with all media requests for information by conferring with the appropriate person within the Department in an effort to obtain the requested information. Sources of information include the Chief of Police, the appropriate Division Commander, the appropriate Shift Commander or shift supervisor or the officer in charge of managing the incident of particular attention.
 2. Members of the media may occasionally respond to a newsworthy scene that normally would not require the PIO’s presence; however, if the supervisor in charge requests the assistance of the PIO, either the Communications Center or another person so assigned or appointed should be directed to make the appropriate notification as soon as possible.
 - a. The supervisor in command of a major incident is responsible for all media relations unless he/she chooses to delegate this responsibility. The supervisor in command will evaluate the situation to determine the appropriate means of releasing information to the media. The supervisor may either personally manage the media release, appoint a subordinate to conduct the media release or contact the PIO.
 - (1) Should the supervisor in command **elect to not contact the PIO—or if the PIO is not readily available**—the supervisor should ensure a sound bite containing releasable information of the incident is provided to those television, radio or print media personnel upon their request.
 - b. These guidelines do not prohibit a senior patrol officer from releasing information to the media on minor incidents such as burglaries and vehicle accidents. Such releases by a patrol officer shall only be made when there is no supervisor available to make the release.
 3. When the PIO is unavailable during normal business hours, the Chief of Police, the Division Commander or their designees may release information to the media.
 4. The Division Commander or the ranking on-duty supervisor will manage all media requests that occur after normal business hours. In the event a particularly newsworthy incident occurs, the Division Commander—or the ranking on-duty supervisor—will contact the PIO or a supervisor in the Services Division within the PIO’s chain-of-command to evaluate and determine the need and scope of all media releases.
 5. In any event, officers of the Department are expected to remain courteous, professional and cooperate with the representatives of the media, as the media maintains a legitimate interest in the operations of the Department. Good judgment that remains based upon the best interest of the Agency will always govern the Department’s relations with all media outlets under all circumstances.
- D. The majority of information released to the media will be generated in the form of press releases to those media organizations that have asked to participate or have agreed to receive faxed or e-mail generated press releases from the PIO.
1. The Texarkana Police Department maintains a website in the World Wide Web. All media releases and information related to newsworthy events will be posted on the Agency’s website. These postings will be managed by the PIO.
- E. At the scene of any event deemed newsworthy or of public interest, members of the Texarkana Police Department will permit members of the news media to conduct interviews, take photographs, film events or otherwise perform their assigned tasks, provided the media’s activity does not interfere with on-going law enforcement operations.

Page 3 of 9	Number: 1102.15	Effective Date: February 01, 2011
Subject: Public Information and Media Relations		Revision Date: July 12, 2017

1. Media personnel shall not be allowed access to a crime scene or accident scene if—in the supervisor’s judgment—the media’s presence would interfere with the investigation in progress or in any way jeopardize the future prosecution of suspects.
 2. The investigation of incidents occurring at private residences or businesses—or those incidents occurring on any private property—shall prohibit access into such areas by media personnel. Unauthorized persons are prohibited from accessing a crime scene before the supervisor in charge of such a scene has deemed such access permissible.
 3. The Supreme Court of the United States has ruled news media representatives cannot be allowed to enter into a residence or business during the execution of a search warrant without the consent of the property owner.
 4. The media will be provided with the names of arrested adults, the names and ages of the victim(s) and a brief description of the incident; however, in those cases that involve a sexual assault or juveniles—and in any case when the victim specifically requests that his/her name not be released—the names and ages of the victims **shall not** be released.
 5. The names and addresses of juvenile victims will not be released, unless the case involves the death of a juvenile victim, and only after the juvenile’s next-of-kin has been notified, can the juvenile’s name be released.
 6. The identity of all deceased victims shall be withheld until such time as the victim’s next-of-kin has been notified. All such notifications shall be made as soon as possible.
 7. The supervisor in charge of the scene can either make the release to the media himself/herself, or the supervisor can initiate procedures to activate the PIO.
 8. The names and addresses of witnesses shall never be released to the media.
- F. Pertinent information shall be released to the news media as promptly as the circumstances allow. Such releases shall remain impartial, courteous and objective in manner. Employees of the Agency are not authorized to divulge information to a representative of the media concerning facts and/or circumstances surrounding any on-going investigation involving the Department without approval of the Chief of Police, a Division Commander, an agency supervisor or the PIO.
- G. The following guidelines identify those elements of information that may be released to the media / public before an arrest is made:**
- A description of the exact offense, including a brief summary of events;
 - The location and time of the offense;
 - Injuries sustained or damage resulting from the action;
 - The identity of the victim, **except for a sex crime victim**;
 - Whether or not the suspect(s) has been identified;
 - Information related to unidentified suspects, such as physical description, vehicle descriptions, etc.;
 - The identification of a fugitive (suspect) for whom an arrest warrant exists;
 - The criminal background of the fugitive **when the public should be alerted to danger**;

Page 4 of 9 Number: 1102.15	Effective Date: February 01, 2011
Subject: Public Information and Media Relations	Revision Date: July 12, 2017

- The method the complaint was received (i.e. officer observation, citizen notification, warrant); and
- The length of the investigation and the name of the officer in charge of the investigation. Operations of an undercover nature may require withholding the officer's identity.

H. The following guidelines identify those elements of information that SHALL NOT be released to the media / public before an arrest is made:

- The identity of those suspects who are interviewed but not charged;
- At no time will the identity of any witness be released;
- The identity of victims of sex crimes. General information consisting of race, age and sex shall be considered sufficient;
- The exact address of a sex offense, as such information could lead to the identity of the victim;
- Elements, information or language that identifies a weapon or other physical evidence;
- The release of any information that could only be known by the person who committed the crime is prohibited;
- Information related to the value of items involved in the crime;
- All conjecture involving suspects or fugitives is prohibited;
- When the circumstances of the crime include high dollar losses, officers should inquire whether the victim wishes to withhold information in any release of information related to the amount of the loss. Should the victim request this information be withheld, the release of the information is prohibited;
- The identity of victims of a death investigation until such time as the victim's next-of-kin has been properly notified; and
- Information that is misleading or false in nature shall not be released (planted stories).

I. The following guidelines identify those elements of information that be may released to the media / public following an arrest or arraignment:

- The time and place of the arrest;
- The defendant's name, age, address, residence, usual occupation, marital status and similar background information;
- The exact offense for which the defendant has been charged;
- Facts and circumstances relating to the arrest to include any resistance, pursuit, the possession or use of a weapon and the description of any contraband recovered;
- The identity of the agency or unit responsible for the arrest to include the name of the arresting officer unless unusual circumstances exist that would jeopardize the officer. Operations of an undercover nature may require withholding the name(s) of the arresting officer(s);
- Duration of the investigation;

Page 5 of 9 Number: 1102.15	Effective Date: February 01, 2011
Subject: Public Information and Media Relations	Revision Date: July 12, 2017

- Information related to the pre-trial release or detention arrangements to include bond amounts and location of detention;
- Scheduled dates for the various stages involved in the judicial process; and
- Information that is misleading or false in nature shall not be released (planted stories).

J. The following guidelines identify those elements of information that SHALL NOT be released to the media / public following an arrest or arraignment:

- The name of the defendant’s employer;
- Any comments relating to the character or the reputation of the defendant;
- The names of any juvenile defendants;
- The prior criminal record of the defendant;
- Any information related to the existence or the content of a confession—or the lack thereof, any admissions or statements made by the accused;
- The refusal of an accused person to provide a statement, or the refusal of the accused to submit to tests or examinations;
- The results of any examination or test;
- Information, language or elements that refer to the results of the laboratory examination of physical evidence;
- The re-enactment of the crime;
- Any revelation the accused person directed investigators to the location of a weapon, contraband or other evidence;
- Any remarks whatsoever regarding an assumption of the guilt or innocence of the accused;
- Comments about the credibility of testimony is prohibited;
- All information, language or elements that provide insight regarding the existence of an informant or information received from an informant; and
- Any information that could be utilized to determine the identity of a victim of a sex crime.

K. Media Interviews of Accused Suspects

1. The Texarkana Police Department does not allow interviews of persons in the custody of the Agency. Permission for such interviews may be granted only after consultation with the Criminal Investigation Division Commander and/or the Prosecuting Attorney having jurisdiction over the case.

L. Release of Departmental Photographs

1. Departmental photographs shall not be released to members of the news media without permission from the Chief of Police or a Division Commander. In no event shall the following photographs be released to the media/public:

Page 6 of 9 Number: 1102.15	Effective Date: February 01, 2011
Subject: Public Information and Media Relations	Revision Date: July 12, 2017

- a. Photographs of any crime scene;
 - b. Photographs of those charged with a criminal offense or suspects prior to their arrest. The release of such photographs in order to obtain public assistance in affecting an arrest must undergo approval by the Chief of Police or a Division Commander.
 - c. Photographs depicting victims of a crime;
 - d. Photographs depicting juveniles;
 - e. Photographs depicting officers engaged in plain clothed, sensitive positions to include narcotics investigators; or
 - f. Officers of another department or agency.
- M. Employees of the Texarkana Police Department are prohibited from making public addresses or writing for publications concerning the affairs of the Agency without authorization from the Chief of Police or a Division Commander. Officers are prohibited from commenting on rumors relating to Department activities.
- N. When representatives of the news media desire interviews with Agency personnel other than the Public Information Officer, such interviews may be conducted only with the approval of the appropriate Division Commander and should be coordinated through the PIO.
- O. In those instances where more than one agency is involved in an incident, the agency having primary jurisdiction will be responsible for releasing and/or coordinating the release of information to the news media.
- P. Press Conferences**
1. Except in those rare instances in which the law enforcement process or the fair administration of justice might be hampered by the premature disclosure of information, and whenever possible, the Department will arrange for and assist local media personnel with setting-up news conferences on major cases or events.
 2. All Texarkana Police Department news conferences will be conducted only upon the approval of the Chief of Police. These scheduled news conferences will be conducted in the following manner:
 - a. All news media sources within the jurisdiction of the Texarkana Police Department will be informed as soon as is practicable of the date, time, and location of the scheduled news conference.
 - b. The Public Information Officer will be responsible for supplying media representatives with appropriate press packets that should include, but not be limited to, the following:
 - (1) When appropriate, a general press release detailing the incident, with correctly spelled names, dates of birth and address of suspects.
 - (2) Applicable statistics; and
 - (3) Photographs of the suspect(s), news clippings, and other visual objects that will meet the special needs of the media.
 - c. In most cases, the Chief of Police, a Division Commander, or the investigator in charge of the case—as well as any other knowledgeable personnel—will be present with the Public Information Officer during the news conference to provide additional background information on the case.

Page 7 of 9	Number: 1102.15	Effective Date: February 01, 2011
Subject: Public Information and Media Relations		Revision Date: July 12, 2017

- d. The Public Information Officer will respond to any improper questions or adversarial situations that may arise during the news conference.

Q. Police Scene Access by News Media

1. Access by media representatives into a police scene will be controlled by the supervisor in charge of the incident, or the responsibility may be delegated to the PIO on major incidents.
 - a. Yellow crime scene tape should be used to establish a cordon around all restricted areas whenever possible;
 - b. Media access into any specific area where evidence could be destroyed or compromised will be temporarily denied.
 - c. Media access may be limited when the presence of the media would interfere with a police operation.
2. Representatives of the media should not be excluded from the general vicinity of crimes, accidents or other incidents. When considering hazardous or catastrophic events, the members of the media should coordinate their activities with the PIO for safety purposes. The PIO will be responsible to gather, prepare and disseminate all applicable information to the media.
3. In the event of a major crime, incident, or disaster, police lines are often established for the purposes of crowd control, to permit investigation, and to preserve evidence. Keeping in mind the purpose of a secure crime scene and dependent upon the tactical situation, the Public Information Officer or ranking officer on the scene should try to make an affirmative effort to provide news photographers timely access to the crime scene. This access, which is to be considered with sensitivity to the scene and to the public’s interest, is to be handled in the following manner:
 - a. The news photographers will be escorted into specific areas by only those investigators in charge of the scene. These investigators will be most familiar with potential evidence and would be able to direct the news personnel away from such evidence.
 - b. While news media representatives may be permitted in the area of a crime scene, they do not have the authority—without an escort—to be within a crime scene or area that has been secured to preserve evidence. This shall include any location where their presence jeopardizes law enforcement operations, or on private property (i.e. an apartment or house) without the consent of the owner or lessee.
 - c. Media representatives shall not be excluded from the vicinity of major incidents, natural disasters, or other catastrophic events. For safety purposes, the news media should coordinate their activities with the Public Information Officer who will act as a liaison during these types of incidents. *The decision to assume the risk of possible danger remains with the individual news person involved, and it is not the responsibility of the Texarkana Police Department to provide for the safety of any news media personnel who voluntarily choose to subject themselves to danger.*
4. Photographers should not be restricted from taking pictures at a crime scene or an accident scene. There are no restrictions that apply to the taking of pictures from public property.
5. Officers shall not keep the media personnel from access into areas where the public is allowed to gather.

Page 8 of 9	Number: 1102.15	Effective Date: February 01, 2011
Subject: Public Information and Media Relations		Revision Date: July 12, 2017

6. If a media representative is located on private property, and the owner or custodian of such property requests the media representative leave the premises, officers shall instruct the representative to move to public property.
 7. Photographs may be taken of a suspect in transit; however, officers of the Agency will not pose the suspect.
 8. Officers are allowed to answer general questions from the news media concerning the facts surrounding the incident. If in doubt, the officer should contact his/her immediate supervisor.
- R. It is important to build a good rapport between the media and the Texarkana Police Department. The Public Information Officer will meet periodically with representatives of the news media to review or discuss any past or developing issues. The Public Information Officer shall be responsible for identifying problems that may occur between the agency and the news media. If these problems are the result of a policy failure, the Public Information Officer shall solicit ideas and suggestions from the media and submit a written evaluation of the problem(s) and input from the media to the Chief of Police.
- S. Procedures for Media Complaints
1. When a complaint is lodged by a member of the Department against a representative or the news media while acting in the course of a reporter working on an incident or event, the Chief of Police, Division Commander or Command Staff Officer shall render a decision and furnish the necessary guidance concerning any further action against the news media representative involved.
- T. Publicity
1. Sworn and non-sworn members of the Department shall not seek publicity during their course of employment with the Agency. Other than routine day-to-day news coverage, all stories, features or articles on radio, television, magazines or newspapers based upon individual members of the Department must receive prior approval from the Chief of Police or his designee prior to the beginning of such an endeavor.
- U. In addition to the above guidelines that govern media releases, the following methods of release are approved when releasing the appropriate information to a member of the news media:
1. Oral communication;
 2. Telephone;
 3. Fax transmissions; and
 4. Email.
 - a. All official correspondence sent to the news media shall be on Department approved letterhead. All copies of official correspondence shall remain on-file in the appropriate location.
- V. No member of the Agency will pose as a member of the news media for any purpose.

Page 9 of 9	Number: 1102.15	Effective Date: February 01, 2011
Subject: Public Information and Media Relations		Revision Date: July 12, 2017